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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
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SEP 24 2003

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In re Application of :
Michael Lazdunski et al :
Serial No.: 09/852,378 : Decision on Petition
Filed: May 10, 2001 :
Attorney Docket No.: 1105-R-00 :

This is in response to applicant's "Request to Withdraw Holding of Abandonment" filed May 28, 2003. The delay is regretted.

On October 2, 2002, a Notice to Comply with Requirement for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed. On May 5, 2003, a Notice of Abandonment for failure to timely file a proper response was mailed. On May 28, 2003, the present petition was filed. Applicants assert that a response was timely filed on October 14, 2002 and a copy of post card showing receipt by the mailroom on October 16, 2002 is attached.

Applicants' statement and evidence have been reviewed and the response filed on October 14 is considered to be timely. Accordingly, the petition is granted.

The instant application has been returned to pending status and is being forwarded to examiner for examination after mailing of this letter.


Jasmine Chambers

Director, Technology Center 1600